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Summary record of the 3075th meeting
Held at the Palais Wilson, Geneva, on Friday, 11 July 2014, at 10 a.m.

Chairperson: Sir Nigel Rodley

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Fourth periodic report of Georgia (continued) (CCPR/C/GEO/4; CCPR/C/GEO/Q/4 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Georgia took places at the Committee table.*

2. **Ms. Tsulukiani** (Georgia) said that Mr. Ben Achour had raised an important point concerning plea bargaining in cases involving torture. Plea bargaining had been introduced into Georgian legislation in 2004, under article 218 of the Criminal Code, and enabled the Public Prosecutor's Office, in exceptional circumstances, to offer a defendant a plea bargain, under which, if the defendant concerned cooperated, and if it enabled the Prosecutor's Office to dismantle a criminal network or uncover a serious crime, the defendant could enter a guilty plea but avoid any form of penalty. She used the word "defendant" advised, rather than the word "accused", because under Georgian law an accused person could not be offered a plea bargain in cases involving torture. The Georgian parliament was currently proposing to amend the law in such a way that the same prohibition applied to a defendant: the proposed amendment had gone through two hearings and, after a third, would become law. As she understood it, the Ombudsman had recommended a blanket ban on any plea bargaining in cases of torture or ill-treatment. She had strong doubts about the proposal, because it might prevent the Prosecutor's Office from breaking down the omertà relating to events within a particular prison.

3. On another important question, namely the establishment of an institution with the power to examine offences committed by police or law enforcement officers, the Government had extensive plans for future action which she would describe later, time permitting. All the ministries would be involved in such an oversight institution, so an interministerial committee had been set up; at its latest meeting, it had appointed a task force made up of representatives of the Ministry of the Interior, the Prosecutor's Office and the Ministry of Corrections to promote the establishment of that institution. It was a challenge, because there were many entrenched practices to tackle, but the process had, with help from the European Union, begun in earnest.

4. **Ms. Mezvrishvili** (Georgia) said that Mr. Ivane Merabishvili had been convicted under article 333 of the Criminal Code, sentenced to 4 and a half years' imprisonment and barred from holding an official position for 13 and a half months. The case was currently before the Court of Appeal. The Prosecutor's Office was currently investigating other officials who had violated the right of assembly, but the case was complex and the officials involved were hard to identify because they had worn masks when dispersing the crowds. The Prosecutor's Office was also investigating two deaths that had occurred on 26 May 2011, the circumstances of which had initially been incorrectly understood. In another case, a man called Mr. Niko Samkharadze had claimed to have suffered ill-treatment and beating at the hands of the police.

5. The Prosecutor's Office was also investigating the death of Mr. Mamuka Mikautadze. It was trying to ascertain the cause of death. The family and colleagues of Mr. Mikautadze had been questioned and their version of events checked by investigators. The intelligence services were also involved. No conclusion had yet been reached.

6. Another case under investigation was that of the death of Mr. Shalva Tatukhashvili, who had been a witness for the prosecution of Mr. Data Akhalia, formerly his superior officer, and as such had been given special protection. His friends and colleagues had been questioned. Surveillance pictures showed that he had been at a training centre with his

lawyers when he had disappeared. It could not be ascertained whether he had suffered ill-treatment at the hands of public officials, but the cause of death had been respiratory failure from alcohol intoxication in combination with psychotropic substances. She added that, in his earlier statement to the Prosecutor's Office, he had said that he had been subjected to no physical or psychological pressure or violence and had made his statement voluntarily.

7. **Ms. Khidasheli** (Georgia) said it should be pointed out that neither of the latter deaths had occurred while the person concerned had been in custody. The death of Mr. Mikautadze had clearly been suicide, while that of Mr. Tatukhashvili had probably been connected with the prosecution proceedings in which he had been involved. He had provided valuable evidence against his former superior in the Department of Constitutional Security, who had been accused of involvement in the deaths of three young people. The suspicion must be that he had been killed to prevent him from testifying to the chain of command of police officers accused of excessive use of force.

8. **Mr. Zlătescu** said he understood that a number of prison officers had been imprisoned for torture-related offences and wondered whether the convictions were for torture itself or abuse of power. He also noted that many officials who had abused their power in the past were still free and requested an explanation. Lastly, he said that tens of thousands of victims of torture required rehabilitation and social reintegration and asked whether such activities were impeded by lack of funds.

9. **Ms. Kvirikashvili** (Georgia) said that the 48 Prison Service employees, including 8 governors and 8 deputy governors, had been convicted of offences, the majority of them under article 144.1 (torture) or 144.3 (ill-treatment) of the Criminal Code. Abuse of power had not been involved.

10. **Mr. Talakvadze** (Georgia) said, with regard to the rehabilitation of victims, that the budget for prison health care had risen in 2012 by an unprecedented 100 per cent, and that at a time when the prison population had fallen by 60 per cent. The success of medical rehabilitation had been such that, out of a prison population of 10,000, there had been 8,600 transfers to civilian hospitals for specialized care in such areas as diagnostics, surgical intervention and therapeutic services. More psychiatrists had been hired and help was provided for potential suicides or persons suffering from post-traumatic stress disorder. A new rehabilitation unit had been opened for persons with physical disabilities arising out of violent practices within and outside prison. With help from donors, civil society and NGOs, two NGO service-providers had been given considerable resources to offer psychosocial and medical rehabilitation for persons already released from prison. The biggest problem in that regard was that Georgia had few specialists in psychological and psychosocial care and more resources would need to be allocated.

11. **Mr. Kälin** asked about the revision of article 310 of the Code of Criminal Procedure, which related to the reopening of cases. The delegation had said that the revision also applied to article 8 of the European Convention on Human Rights, which was, of course, not a criminal provision. He wondered how that could be. Secondly, he asked whether the courts could reopen a case only if recommended to do so by a ministry or whether they could do so on their own motion.

12. **Ms. Tsulukiani** (Georgia) said that the Criminal Court of General Jurisdiction could, on the recommendation of the Ministry of Justice, reopen a case in which there had been a judgement on the basis of a unilateral declaration by the State. The Court might reach the same decision but would ensure that the defendant had the right of defence, which would not have been the case before. In the first such retrial, the plaintiff in *Taktakishvili v. Georgia* had been acquitted. Article 423 of the Code of Civil Procedure played the same function in civil cases. In one particular case, she had noted beforehand that the trial would violate article 8 of the European Convention on Human Rights and an amicable settlement

had been negotiated. As a result, the child at the centre of the case had learned its father's name and the father paid alimony. Such action was currently possible only in relation to the European Convention, but the Government intended to introduce amendments under which any recommendation by an international body could be executed by Georgia. Thus, for example, the Human Rights Council had identified a violation of international law, but, under Georgian law, Georgia had been unable to execute its recommendation.

13. **Mr. Salvioli** asked why the waiting period before a woman was allowed to have an abortion had been extended from three to five days. He asked on what grounds the decision had been taken. It was contrary to the recommendation of the World Health Organization. He also asked about the possibility of objections by health workers on grounds of conscience to carrying out abortions and enquired whether the State could guarantee access to abortions.

14. **Ms. Tsulukiani** (Georgia) said that, when it had been part of the Soviet Union, Georgia had had 5 million inhabitants. The population had since fallen to 4 million and demographic data suggested that, in 20 years' time, the figure would be 2 million. The decision to extend the waiting time for abortions had thus been primarily a political one, decided on by the Cabinet. There were, however, also health considerations. The first impulse for many mothers was to abort, because the situation of unmarried mothers could be difficult, especially in rural areas. Giving more time for reflection would both help women and contribute to resolving a catastrophic demographic situation. Once the waiting period was over, however, women faced no difficulties of access to abortion. There had been no case in which a doctor had refused to carry out an abortion.

15. **Mr. Talakvadze** (Georgia) said that the social and cultural environment put women under considerable pressure and stress when they had to decide about having an abortion. Time was needed for the woman to have discussions with the family, and to weigh up her moral beliefs, the cost of raising a child, the medical side effects of both abortion and pregnancy, the possibility of adoption and the cost of the abortion itself. Most professionals agreed that three days was not enough time to decide. As for access to abortion, the Government and professional associations had never argued that blocking access to abortion was viable, especially in view of the country's unfortunate experience in the early 1990s. Abortions had been banned and the numbers had immediately gone down. Five years later, however, maternal mortality had increased significantly and it had been realized that the number of unreported illegal abortions had risen dramatically. Georgia could never revert to that situation. There was no perfect solution in a debate with pro-choice and pro-life advocates, but Georgia had done its best to respond to a complex situation.

16. **The Chairperson** said that the answers from Ms. Tsulukiani (Minister of Justice) and Mr. Talakvadze (Deputy Minister of Corrections) were the most informative, thoughtful and relevant he had ever heard in the Committee.

17. **Mr. Kälin** said in relation to question 15 of the list of issues that the Code of Administrative Offences did not contain sufficient safeguards for detainees. The police were not required to inform a detainee of his or her rights and counsel was not present at administrative hearings. There was often inadequate time to provide a defence. Even though no criminal procedure was involved, there should be guarantees in place.

18. With regard to the reform of the judiciary, referred to in question 19, he commended the progress made by Georgia. However, in view of the very low acquittal rates in trials, he asked whether the judiciary were truly independent. Secondly, he requested the delegation's comments on allegations that a number of cases against senior officials had been politically motivated. Thirdly, he noted that the Venice Commission of the Council of Europe had found that the provisions relating to political prisoners in the Amnesty Law adopted in January 2014 did not comply with the fundamental principles of the rule of law.

19. Regarding question 20, he noted that, according to paragraph 91 of the written replies, a judge could overturn a jury decision only if it contradicted evidence. The power to review was thus extremely limited and was incompatible with article 14.

20. He was grateful for information already provided regarding question 21, but requested further information about possible legal changes to the practice of plea bargaining. It was reported that, since the recent elections, there had been 2,000 cases of people claiming that pressure had been put on them to make a plea bargain – a fact that might be linked to the low acquittal rate. A person was likely to accept a plea bargain if he or she risked being convicted, even if innocent. It could also be connected with zero tolerance of drugs, which meant that there was a high risk of receiving a prison sentence. It had also been suggested by some NGOs that the plea bargain had been used as a way of extracting money from drug offenders and their families; the claim was that the equivalent of more than US$ 20 million had been thus paid out in 2008–2009. He asked how the Government would deal with that situation and also with situations where people had come forward claiming to be victims of coercion. Lastly, he asked how the zero tolerance principle affected the prison system.

21. **Ms. Waterval**, said with reference to question 16 of the list of issues that paragraph 74 of the written replies stated that the Joint Permanent Commission of the Ministry of Corrections and the Ministry of Labour, Health and Social Affairs had not released inmates prior to 2013 and she asked what the criteria for release were. She also noted that in paragraph 75 of the written replies, the methodology used by a number of bodies was being reviewed and she asked what the outcome had been. Lastly, she requested further information about halfway houses and the impact of non-custodial sentences on the prison system. Any statistics that the delegation could provide would be welcome.

22. She requested further information about prisons Nos. 6 and 7, in which conditions were atrocious, with underground cells and no infrastructure for prisoners with limited abilities, who had to be helped by fellow inmates. She also expressed concern about the large number of drug-addicted prisoners.

23. With regard to question 22 of the list of issues, she asked whether the reform of the juvenile justice system had been implemented throughout the country and what the effects of the reform had been on the system.

24. **Mr. Salvioli** said with reference to question 18 that paragraph of 82 of the written replies referred to the difficulties of lesbian, gay, bisexual and transgender persons only in connection with the prison system. His question had been broader: he wondered how the State responded to complaints of violence and the outcome of investigations into anti-homophobia marches held in 2012 and 2013.

25. **Mr. Fathalla** said that in its reply the previous day concerning question 23, the delegation had not dealt with a number of questions. He asked whether internally displaced persons (IDPs) had access to a complaints mechanism when, for example, their right to housing was not respected. Secondly, he asked for clarification of the statement in paragraph 114 of the written replies that IDPs enjoyed "equal and unlimited participation" in social and economic relations and in receiving social and public service. The Committee had already requested information on measures taken to improve access to consultation, medical services, water and sanitation, and employment-generating activities for IDPs at new resettlement sites. He also asked whether Georgia paid compensation in cases where restitution of housing and lands left behind was not possible. Lastly, he asked whether IDPs had participated in the development of the bill relating to persons displaced from the occupied territories of Georgia. The bill listed many fine aims, but he wondered how such aims could be achieved.

26. **Mr. Ben Achour** invited the delegation to comment on reports that property belonging to the religious groups mentioned in paragraph 38 of the State party's report (CCPR/C/GEO/4) had still not been returned, and that the Government assisted the Georgian Orthodox Church in confiscating property from religious minorities. He enquired about the legal status of the Constitutional Agreement of 14 October 2002, which, according to some sources, discriminated in favour of the Georgian Orthodox Church, which had allegedly received US$ 120 million since 2002, in addition to tax exemptions and allowances for the repair and maintenance of places of worship. He also wished to know the outcome of the criminal investigations referred to in paragraph 116 of Georgia's replies to the list of issues (CCPR/C/GEO/Q/4/Add.1), and requested further information on the incidents that had taken place in Mereti on 26 June 2012 and Karaleti on 12 July 2012.

27. **Mr. Zlătescu**, noting that, for a long time, the State had promoted laws requiring ethnic minorities to speak Georgian in order to access a range of governmental and administrative services, asked what measures and policies had been adopted to boost the political representation of Armenian and Azeri communities. The delegation should indicate whether the Government held consultations with *sakrebulo* (local elective bodies) in towns where ethnic minorities accounted for over 20 per cent of the population. He asked whether the National Council on Civic Integration and Tolerance had co-opted minority representatives, and whether its capacity and budget had been increased to that end.

28. Turning to the issue of minority languages, he asked whether Georgia had ratified the European Outline Convention on Transfrontier Co-operation Between Territorial Communities or Authorities and, if not, whether it intended to do so. He wished to know whether joint commissions had been set up with Azerbaijan and Armenia to develop new history textbooks in minority languages for Georgian schools, whether core social science subjects were also taught in Azeri and Armenian, and whether textbooks on Georgian as a second language had been supplied to minority educators.

29. With regard to the Roma community, he asked whether homeless shelters and medical services were available to them, whether they had access to free emergency care, and whether Roma women had no option but to give birth at home without a doctor or [illegible]e. The delegation should indicate whether members of the Roma community had been subjected to illegal detention in recent years, including being held in pretrial facilities for more than 48 hours. Lastly, he wished to know whether the State party had made provision for a possible influx of migrants from other post-Soviet States, and whether a plan had been developed for the integration of Roma and Moldovan populations.

30. **Ms. Tsulukiani** (Georgia) said that, under the proposed amendment to the Code of Administrative Offences, the maximum permissible length of administrative detention would be reduced from 90 days to 15, law enforcement officials would be obliged to inform detainees of the reasons for their arrest, and judges would be responsible for upholding the principle of equality of arms. A copy of the bill would be submitted to the Committee after the meeting.

31. In response to questions on the judiciary, she said that reforms were under way and that steps were being taken to strengthen the independence of judges. The Ministry of Justice, with the support of the United Nations Children's Fund and the European Union, had drafted a Juvenile Justice Code, which would be brought before parliament later in 2014, to address the lack of specialized juvenile judges in Georgia.

32. Further reforms were being considered to ensure the automatic distribution of cases among judges and to introduce a fair mechanism for sending judges on mission, based on the principle of security of judicial tenure such that vacancies would be filled, at least temporarily, by reserve judges.

33. **Mr. Tsuladze** (Georgia) said that, in previous years, low acquittal rates and lengthy prison terms and periods of administrative detention, particularly for corruption and related offences, could be ascribed to a strict Government response to high crime rates and fragile State institutions. More recently, crime rates had declined and the Criminal Code had consequently been liberalized, resulting in a reduction in the average length of administrative detention and a gradual increase in acquittal rates, a trend that was expected to continue. The relevant statistics would be put at the Committee's disposal in due course.

34. **Ms. Tsulukiani** (Georgia) said that the jury trial system, which had divided opinion in the country since its introduction in 2010 for cases of aggravated homicide, needed to be reformed in order to comply with the Covenant and the European Convention on Human Rights. Current shortcomings included a failure to provide jurors with predetermined lists of admissible evidence and the impossibility of conducting merits reviews. A decision on whether to extend the jury trial system to cover all crimes would be made by 2016.

35. With reference to the plea bargaining system, she said that, upon her appointment as Minister of Justice, it had generated 37 million lari. A number of important reforms to the system had been put forward and would enter into force in the near future, including a return to the keeping of minutes for negotiations between defendants and the Prosecutor's Office, and the requirement for legal assistance to be made available throughout proceedings. Moreover, judges would be given greater powers to annul plea bargaining agreements made under duress, and to reassign negotiations to a more senior prosecutor. The practice of exchanging money for freedom would be brought to an end.

36. Turning to the issue of drug policy, she said that, while measures to combat drug use in Georgia were proving effective, steps had to be taken to ensure that users who were not dealers received appropriate medical care. To that end, a package of legislative amendments had been drafted, providing for increased support for users and heavier penalties for persons arrested in possession of commercial amounts.

37. **Mr. Talakvadze** (Georgia) said that the package would also provide for comprehensive legal support and harm reduction programmes for users, and the expansion of specialized care services for drug addicts in prisons, notably through the drug addiction unit established in June 2014. From 2015, grants provided by the Global Fund to Fight AIDS, Tuberculosis and Malaria would be used to further expand opioid substitution therapy and harm reduction services, while prisoners already had universal access to HIV services and hepatitis C diagnostic testing.

38. **Ms. Khabazi** (Georgia) said that persons detained for administrative offences were informed of their procedural rights and the reasons for their arrest at three stages: verbally at the time of arrest, through the arrest protocol required under article 245 of the Code of Administrative Offences, and by means of lists and posters in five different languages visibly displayed in temporary detention facilities. The right to unrestricted, confidential access to legal counsel was set forth in article 252 of the Code.

39. **Mr. Talakvadze** (Georgia) said that the 2014 budget of the Ministry of Health for drug-related services was double that of the previous year, and that, since 2012, there had been a fall in the rate of imprisonment for drug consumption and possession for personal use.

40. **Ms. Tsulukiani** (Georgia) said that another of the aims of the amendment to the Code of Administrative Offences was to ensure that persons in administrative detention were held in prison cells, rather than temporary detention facilities managed by the Ministry of Internal Affairs.

41. **Ms. Khidasheli** (Georgia) said that the amnesty in December 2012 had been applied to all prisoners convicted of drug use. On the issue of administrative detention, it was

important to focus not only on the duration of detention but on the number of people actually being detained, which had been reduced significantly. In the past, the police had arrested large groups of people during mass rallies as a matter of course, but they now made arrests only in extreme cases.

42. One of the biggest challenges faced by the new Government was dealing with the tens of thousands of complaints lodged with the Prosecutor's Office in relation to crimes committed during the previous regime. Complaints included requests for the reinvestigation of cases and review of court judgements, allegations of torture and ill-treatment, and requests for the restitution of illegally expropriated property. Once the cases were processed in the justice system, the major challenge for the State would be the payment of compensation to victims, which would amount to many billions of Georgian lari.

43. With regard to the concerns about selective justice, there were two main categories of cases against former public officials: violent crimes and corruption. The charges faced by Mr. Merabishvili, the former Minister of Internal Affairs, related to the excessive use of force during the mass demonstrations on 26 May 2011, which had resulted in several deaths and many injuries and the incommunicado detention and torture of demonstrators. The political opposition was complaining that political opponents were being targeted, but it was important that the law was applied in the same way to everyone and that no distinction was made on the basis of political affiliation. The former mayor of Tbilisi, Mr. Ugulava, and the former Minister of Defence, Mr. Kezerashvili, faced charges of a financial nature, involving extortion and the illegal transfer of money for political and personal gain. Referring to the various cases of attacks against demonstrators and journalists mentioned by the Committee, she said the fact that the current Government had been in opposition at the time, and that some members had even been the victims of attacks themselves, meant that it must exercise extreme caution in pressing charges to ensure that it was not seen to be exacting political retribution.

44. The 2002 Constitutional Agreement between the Georgian Orthodox Church and the State, which formed part of the Constitution, contained no provisions intended to discriminate against any other religious group or grant special privileges to the Orthodox Church. The Agreement simply defined the separation of church and State and stipulated that neither party would interfere in the affairs of the other.

45. **Mr. Talakvadze** (Georgia) said that, with the engagement of civil society, the joint commission of the Ministry of Health and the Ministry of Corrections had been completely reformed the year before. The commission was responsible for the compassionate release of prisoners who were chronically or terminally ill and elderly prisoners who had served half of their sentence. Clear criteria had been established for compassionate release and were in line with the International Classification of Diseases. In 2013, the commission had released 104 prisoners, 64 per cent of whom had been elderly. In the previous four years, the commission had not released a single prisoner with a terminal condition because its criteria had been out of date and it had failed to respond to applications from the prison medical service promptly and adequately.

46. There had also been reforms in relation to early conditional release, following which more than 2,400 prisoners had been granted conditional release in 2013, compared to a total of 800 prisoners over the previous four years. There were plans to further review the criteria for early conditional release. The halfway house was a new institution for prisoners due to be released within a year, which provided them with skills training and education to facilitate their reintegration into society. An independent evaluation of the institution would be conducted at the end of 2014.

47. The three prisons that had been most heavily criticized by human rights monitoring bodies in the past — prisons Nos. 1, 3 and 4 — had been closed the previous year and

replaced with new institutions. High-security prisons Nos. 6 and 7 had undergone major renovations and now complied with minimum living and space standards. The long-term plan was to also close those prisons but replacement prisons must first be completed. There was a special accommodation unit for high-dependency prisoners with disabilities of all kinds, which provided adapted conditions and long-term care and assistance from nurses and other care personnel.

48. **Ms. Mezvrishvili** (Georgia) said that the Prosecutor's Office and the Ministry of Justice were working to strengthen the Juvenile Diversion and Mediation Programme, which had been expanded to cover the whole country. Ensuring the proper treatment of juveniles was one of the priorities of the Prosecutor's Office; specialized juvenile prosecutors would be appointed in all its structural units. The recommendation that detention should only be used as a last resort was being implemented. The number of juveniles involved in the Programme who had been successfully diverted had increased in 2013. The recidivism rate among diverted juveniles was very low and the juvenile detention rate had fallen in 2013 and now remained stable.

49. **Ms. Kvirikashvili** (Georgia), referring to the case of 7 May 2013, said that the Ministry of Internal Affairs had initiated an investigation on the same day, as a result of which five persons, including two Orthodox priests, had been prosecuted. The prosecution against one of the individuals had been terminated in August 2013, and the Prosecutor's Office had unsuccessfully appealed the decision. The court was currently hearing the case against the four remaining defendants. In the case of violence against NGO members, the violence was being tried as a misdemeanour. Three persons had been convicted for violence on the grounds of sexual orientation.

50. **Ms. Gugeshashvili** (Georgia) said that a new set of guiding principles had been developed for the allocation of housing to internally displaced persons (IDPs). Under the new procedure, each family was evaluated and assigned a number of points, and those with the most points were given priority. Those below the poverty line, persons with disabilities and female-headed households received higher points. Applicants could lodge complaints with the Ministry of Internally Displaced Persons about their evaluation and could provide additional information on their situation. Once they had received housing, beneficiaries could also submit complaints about the quality of the housing. The new approach was to allow IDPs to live in larger cities, where they had better access to employment opportunities, or to remain in the same place if they were already well integrated. Housing with plots of land could also be provided in rural areas for IDPs with an agricultural background.

51. Regarding access to health, education and other services, an interministerial approach was adopted, with IDPs being integrated into the strategies of individual ministries. Funding of 5 million euros had been secured from the European Union for livelihood projects. The housing budget was being continuously increased, and by the end of 2014 some 2,500 families would have received housing. Plans were also under way to transfer private ownership of houses to IDPs. Progress had also been made in the restitution of housing, and an action plan was being implemented in that regard.

52. **Mr. Tangiashvili** (Georgia) said that significant progress had been made since 2007 in the restitution of property confiscated during Soviet rule to religious organizations. Under an amendment to the Civil Code, religious organizations now had the choice to register as legal entities of public law, which put them in a much better position to receive property from the State. Regardless of their status, religious organizations enjoyed total freedom from the State. The Ministry of Culture had been granting the status of cultural heritage monuments to the religious buildings of various groups, including Armenian churches, mosques and synagogues.

53. In November 2013, the Government had set up an inter-agency commission to make recommendations on restitution issues. The commission had concluded that the Evangelic Lutheran, Islamic, Judaic, Roman Catholic and Armenian Apostolic churches were the religious unions whose losses were factually established by numerous independent documented sources and their restitution was in no doubt. In addition to the Constitutional Agreement with the Georgian Orthodox Church, the State had allocated US$ 2.5 million to those five religious unions to be distributed proportionally. Since the exact amount of damage suffered by those organizations was unknown, the payment was symbolic.

54. In February 2014, the Government had established the State Agency for Religious Issues to replace the commission, which was tasked with supporting the Government in its relations with religious organizations, including property restitution. The Agency prepared reports, issued recommendations and drafted legal acts, inter alia.

55. With regard to the removal of the minaret from the mosque in the village of Chela, the documents submitted for the building application had not been in compliance with the law and there had been a loophole in the legislation. Officials from the Ministry for Reconciliation and Civic Equality had visited the village and consulted with local authorities and religious leaders to enable them to put the documents in order and apply for a legitimate building permit for the minaret.

56. **Ms. Beselia** (Georgia) said that the Parliamentary Committee on Human Rights and Civil Integration was responsible for monitoring how human rights were protected by the individual ministries. In 2012, the Government had declared protection of human rights a main priority and had developed a seven-year human rights strategy. The Committee had worked on the Amnesty Law to reduce the number of prisoners and with NGOs on the criteria for the release of political prisoners.

57. **Mr. Shany** said that the timing of investigative measures and arrests in some cases to coincide with municipal or presidential elections would explain some of the concerns about selective justice. The nature of some of the allegations was also very open-ended, such as abuse of authority or neglect of official duty. He wondered whether the State party had considered addressing the problem of the perceived lack of impartiality of the justice system.

58. **Ms. Khidasheli** (Georgia) said that the only reason Mr. Ugulava had been arrested prior to the local elections was that he had been planning to leave the country and had been intercepted at the airport. Some of the charges were open-ended because the investigations had not yet been concluded. The Government was taking steps to ensure the independence of the judiciary and the depoliticization of the justice system and was developing a legislative package to that end.

59. **Ms. Tsulukiani** (Georgia) said that human rights were at the centre of all the reforms being carried out in her country, which was committed to correcting the wrongs of the past and creating a better future based on human rights.

60. **The Chairperson** said that, although much had been achieved over the past two years, the State party was aware of the work that remained to be done. Georgia faced very serious challenges, but there appeared to be a commitment to ensuring the fullest and most effective implementation of the Covenant.

The meeting rose at 1.05 p.m.